

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 22 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/761,982	
	Filing Date	January 21, 2004	
	First Named Inventor	Michel TABART et al.	
	Art Unit	1626	
	Examiner Name	STOCKTON, Laura Lynne	
Total Number of Pages in This Submission	18 pgs.	Attorney Docket Number	ST01021 US CNT

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Remarks 1. RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT - 17 PGS.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	AVENTIS PHARMACEUTICALS INC.	
Signature	<i>Balaram Gupta</i>	
Printed name	Balaram GUPTA	
Date	September 22, 2005	Reg. No. 40,009

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. 571-273-8900 ; Total No. of Pages Transmitted: 18 pgs.)	
Signature	<i>Maribel Mendez</i>
Typed or printed name	Maribel Mendez
Date	September 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**RECEIVED**  
**CENTRAL FAX CENTER**

SEP 22 2005

**PATENT****Docket No.: ST01021 US CNT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of  
**Michel Tabart et al.**

Examiner: Stockton, Laura

Serial No.: 10/761,982

Art Unit: 1626

Filed: January 21, 2004

**TELEFAX CERTIFICATE**Title: Indazole or indole derivatives, and use  
thereof in human medicine and more  
particularly in oncologyI hereby certify that this correspondence is being  
transmitted via facsimile to the Commissioner for  
Patents, Alexandria, VA 22313, at (571) 273-8300 on9-22-05  
Date of Transmission  
Signature *M. Mendez*Mail Stop: Amendment.  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450**Response to Notice of Non-Compliant Amendment (37 C.F.R. § 1.121)**

Sir:

This Amendment in the above-identified patent application is in response to the Office Action, entitled "Notice of Non-Compliant Amendment (37 CFR 1.121)", dated, September 15, 2005, having a response due by October 15, 2005. Please find attached an amendment which now provides proper status identifier for all of the claims in the present case. More, specifically, the aforementioned notice indicated that claims 27-34 are withdrawn and should be identified as such. Further, it also noted that amended claims, such as, claims 27 and 31 should be identified as "Withdrawn-Currently amended." It is respectfully submitted that these identifiers have now been appropriately incorporated into the amendments attached herewith. Accordingly, it is submitted that this amendment fully satisfies the requirements of 37 CFR 1.121. Thus, it is respectfully requested that the following amendment be entered in this case.

ST01021 US CNT

-1 of 17-

Application Ser. No.: 10/761,982  
Filing Date: January 21, 2004  
Examiner: Stockton, Laura

Applicants believe there are no fees due for this Amendment. However, if the Examiner deems that fees are due, please charge these fees to Deposit Account No. 18-1982 for Aventis Pharmaceuticals Inc. Bridgewater, NJ. Please credit any overpayment to Deposit Account No. 18-1982.

*September 22, 2005*

Respectfully submitted,

*Balaram Gupta*

Balaram Gupta  
Registration No. 40,009  
Attorney for Applicants

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
MAIL CODE: BWD-303A  
Bridgewater, NJ 08807-0800  
Telephone: 908-231-3364  
Telefax: 908-231-2626